

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFREY J. GIORDANO,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 2:20-cv-02082-JDP (SS)

ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR
FAILURES TO PROSECUTE AND COMPLY
WITH A COURT ORDER

RESPONSE DUE WITHIN 30 DAYS

Plaintiff filed his social security complaint on October 19, 2020. ECF No. 1. Plaintiff's motion to proceed in forma pauperis was granted, and the case was stayed under General Order 615. ECF No. 3. On July 19, 2021, the Commissioner filed the administrative transcript, which lifted the stay. ECF No. 11. A scheduling order followed, requiring plaintiff to file a motion for summary judgment within 45 days of the filing of the administrative transcript. ECF No. 12. Plaintiff's motion for summary judgment was due August 2, 2021 but has not been filed.

To manage its docket, the court imposes deadlines on litigants and requires litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute or failure to comply with a court order. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005). Involuntary dismissal is a harsh penalty, but a

1 district court has a duty to administer justice expeditiously and avoid needless burden for the
2 parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

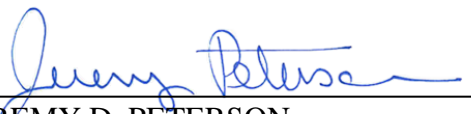
3 The court will give plaintiff a chance to explain why the court should not dismiss the case
4 for plaintiff's failures to prosecute and comply with a court order. Plaintiff's failure to respond to
5 this order will constitute another failure to comply with a court order and will result in dismissal
6 of this case.

7 Accordingly, within 30 days plaintiff must:

- 8 1. show cause for his failures to prosecute and comply with a court order, and
- 9 2. file a motion for summary judgment.

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11 IT IS SO ORDERED.

12 Dated: October 12, 2021

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14 JEREMY D. PETERSON
15 UNITED STATES MAGISTRATE JUDGE
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